

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**NIGELLUS DEVONTE DAVIS**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO. 1:19-cv-903-TBM-RPM**

**KEESLER AIR FORCE BASE**

**DEFENDANT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court on submission of the [8] Report and Recommendation entered by United States Magistrate Judge Robert P. Myers, Jr. on March 9, 2021.

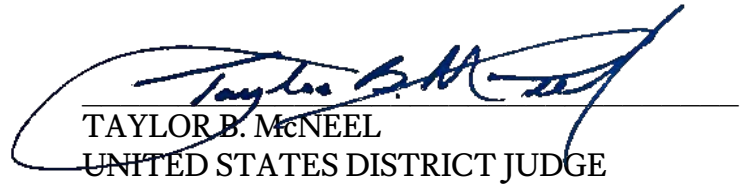
After considering the record and applicable law, Judge Myers recommends that the case be dismissed without prejudice for failure to prosecute. Plaintiff has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.

“When a party fails timely to file written objections to the magistrate judge’s proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error.” *Casas v. Aduddell*, 404 F. App’x 879, 881 (5th Cir. 2010); *see also Thomas v. Arn*, 474 U.S. 140, 152, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985) (“There is no indication that Congress, in enacting § 636(b)(1)(C), intended to require a district judge to review a magistrate’s report to which no objections are filed.”). Having considered Judge Myers’ Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [8] entered by United States Magistrate Judge Robert P. Myers, Jr. on March 9, 2021 is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that this action is DISMISSED  
WITHOUT PREJUDICE.

THIS, the 30th day of April, 2021.



TAYLOR B. McNEEL  
UNITED STATES DISTRICT JUDGE